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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant : PRASAD, Kailash
Patentee : UNIVERSITY OF SASKATCHEWAN
Patent No. : 6,486,126
Filed : June 23, 2000
Serial No. : 09/599,958
Title : ANTIOXIDANT ACTIVITY IN SDG METABOLITES
Examiner : RILEY, Jezia
Art Unit : 1637
Issue Date : November 26, 2002

KIRBY EADES GALE BAKER
Box 3432, Station D
Ottawa, Ontario
CANADA K1P 6N9

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
United States of America

Dear Sir:

This letter is filed in response to the Office letter dated May 17, 2007.

That letter indicates the balance of \$65.00 is due to top-up the fee deficiencies in accordance with our submission of August 1, 2006.

We respectfully submit that the Office has miscalculated the fees payable. As we understand the Office letter, when topping up fees they must be topped up to the current rate and not to the rate applicable at the time the original fees were paid. In our letter of August 1, 2006, the fees were topped-up to the rate payable at the time of filing in June 2000 and at the time the terminal disclaimer fee was paid in October 2001. The Office letter now seems to be indicating the top-up payments should be made to the current fee schedule. We submit, therefore, that the additional fees payable should be \$120.00 US. We calculate the fees as follows.

.../2

In June 2000 a filing fee of \$345.00 US was paid. On August 1, 2006 a top-up payment of \$345.00 US was paid. This totals \$690.00 US. As the current filing fee is \$790.00 US, the balance owing with respect to the filing fee should be \$100.00 US.

The terminal disclaimer fee paid in October 2001 was \$55.00 US. On August 1, 2006 the top-up fee paid with respect to the terminal disclaimer was \$55.00 US. Thus a total of \$110.00 US has been paid with respect to terminal disclaimer fees. As the current terminal disclaimer fee is \$130.00 US, the balance owing with respect to the terminal disclaimer fees is \$20.00 US.

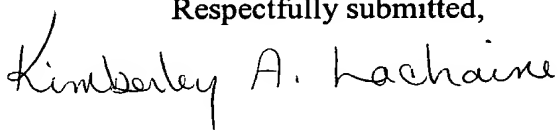
Adding the two fee deficiencies of \$100.00 US and \$20.00 US, the total payable should be \$120.00 US.

Enclosed please find a credit card authorization form covering the \$120.00 US in government fees.

If, by chance, our calculations are not correct then any overpayment should be deposited in our deposit account. Details with respect to the deposit account are attached.

We await confirmation that the fees have been applied and that all is in good order.

Respectfully submitted,



Kimberley A. Lachaine
Reg. No. 33,319
Tel (613) 237-6900
Our File No. 44894
May 31, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
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Kirby Eades Gale Baker
PO Box 3432
Station D
Ottawa K1P 6N9 CA CANADA

COPY MAILED

MAY 17 2007

OFFICE OF PETITIONS

In re Patent No. 6,486,126 :
Issue Date: November 26, 2002 :
Application No. 09/599,958 : NOTICE OF FEE DEFICIENCY
Filed: June 23, 2000 :
Attorney Docket No. 44894 :

This is in response to your petition, filed August 1, 2006, for acceptance of a fee deficiency submission under 37 CFR 1.28(c).

The petition is dismissed.

The petition was accompanied by a \$400 credit card authorization to cover the initial filing fee of \$345 and \$55 terminal disclaimer fee. However, as the current filing fee is \$790, the \$345 filing fee was insufficient, since the fee that should have been submitted was \$445. Additionally, as the current terminal disclaimer fee is \$130, the \$55 fee submitted was insufficient by \$65. The Office adjusted the fees by applying one of the two \$55 terminal disclaimer fees received on October 5, 2001 towards the filing fee, leaving one \$55 terminal disclaimer fee. The Office applied the \$400 credit card payment towards the \$790 filing fee and \$45 from one of the terminal disclaimer fees, leaving a balance of \$10.

In sum, a balance of \$65 is due for the large entity terminal disclaimer fee (\$10+\$55+\$65=\$130).

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

A handwritten signature in cursive script, reading "Frances Hicks". The signature is written in dark ink and is positioned above the printed name.

Frances Hicks
Petitions Examiner
Office of Petitions



PTO/SB/17 (05-07)

Approved for use through 05/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2007☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 120.00**Complete if Known**

| | |
|----------------------|-----------------|
| Application Number | 09/599,958 |
| Filing Date | June 23, 2000 |
| First Named Inventor | PRASAD, Kailash |
| Examiner Name | Jezia Riley |
| Art Unit | 1656 |
| Attorney Docket No. | 44894 |

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| - 100 = _____ | / 50 = _____ | (round up to a whole number) x _____ | = _____ | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee Deficiency

Fees Paid (\$)

120.00

SUBMITTED BY

| | | | |
|-------------------|---------------|---|--------------------------|
| Signature | <i>Trevor</i> | Registration No. (Attorney/Agent) 55,969 | Telephone (613) 237-6900 |
| Name (Print/Type) | Trevor Mee | | Date May 31, 2007 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (05-07)
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FEE TRANSMITTAL For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 09/599,958 |
| Filing Date | June 23, 2000 |
| First Named Inventor | PRASAD, Kailash |
| Examiner Name | Jezia Riley |
| Art Unit | 1656 |
| Attorney Docket No. | 44894 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

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|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--|--------------|----------|---------------|
| - 20 or HP = | x | = | |
| HP = highest number of total claims paid for, if greater than 20. | | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| - 3 or HP = | x | = | |
| HP = highest number of independent claims paid for, if greater than 3. | | | |

| Multiple Dependent Claims | |
|---------------------------|---------------|
| Fee (\$) | Fee Paid (\$) |
| | |

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| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

| | | | |
|-------------------|------------|--|--------------------------|
| Signature | | Registration No. (Attorney/Agent) 55,969 | Telephone (613) 237-6900 |
| Name (Print/Type) | Trevor Mee | Date May 31, 2007 | |

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